

REMARKS

The indication by the Examiner that claims 52 and 56-58 are allowable as written in acknowledged with appreciation.

Claims 1-58 are pending in the application. The status of the claims is as follows:

Claims 1-51 and 53-55 are withdrawn from consideration as being directed to the non-elected species; and

Claims 52 and 56-58 are allowed.

By this response, withdrawn claims 1-51 and 53-58 have been cancelled without prejudice or disclaimer. Also by this response, new claims 59-65 have been added. Each of the new claims reads on elected species X.

In the amendment mailed July 23, 2004, applicants respectfully submitted that the Examiner has not employed the correct test for evaluating generic and species claims in this application. Although applicants still maintain that an incorrect criteria was employed, the withdrawn claims have now been cancelled without prejudice or disclaimer to the filing of a divisional application solely to expedite the prosecution of this application.

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Application No. 09/618,326
Amendment dated April 13, 2005
Reply to Office Action of January 13, 2005

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 

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